

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

KYSA JOHNSON,

Plaintiff,

v.

EMPIRE STATE REALTY TRUST, INC.,

Defendant.

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Case No. 14 CV 0487 (PAC)

STIPULATION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE *mc*

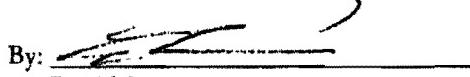
WHEREAS, the parties to this action entered into a Confidential Settlement and Release Agreement (the "Settlement Agreement") dated May 27, 2014;

IT IS NOW HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, and subject to the approval of the Court, as follows:

1. This action is dismissed pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, with prejudice and without costs to any party;
2. This Court shall retain jurisdiction over the parties to this stipulation for purposes of enforcing the Settlement Agreement and for purposes of deciding any claim of breach of the Settlement Agreement;
3. This Stipulation may be signed in counterparts, all of which together shall constitute a single document, and facsimile or pdf signatures shall be deemed originals.

Dated: New York, New York
May 29, 2014

DEWEY PEGNO & KRAMARSKY LLP

By: 

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*Attorneys for Defendant Empire State
Realty Trust, Inc.*

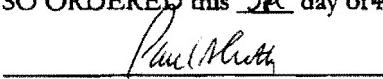
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Attorneys for Plaintiff Kysa Johnson

SO ORDERED this 30 day of ^{June} May, 2014.


Hon. Paul A. Crotty
United States District Judge